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Date: (Filing No. S- )

**JUDICIARY**

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**STATE OF MAINE  
SENATE  
132ND LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 852, L.D. 2059, “An Act to Provide Required Funding for the Reimbursement of Assigned Counsel and to Develop the Public Defender Office for Cumberland County”

Amend the bill by striking out the title and substituting the following:

**'An Act to Provide Required Funding for the Reimbursement of Assigned Counsel and to Prohibit Collective Bargaining by Public Defenders and Employed Counsel'**

Amend the bill in the emergency preamble by striking out all of the 6th and 7th paragraphs (page 1, lines 20 to 25 in L.D.).

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting the following:

**'Sec. 1. 26 MRSA §979-A, sub-§6, ¶H-1** is enacted to read:

H-1. Who is a public defender or employed counsel employed by the Maine Commission on Public Defense Services established by Title 5, section 12004-G, subsection 25-A. For purposes of this paragraph, "employed counsel" has the same meaning as in Title 4, section 1802, subsection 3-A and "public defender" has the same meaning as in Title 4, section 1802, subsection 5.

**Sec. 2. Appropriations and allocations.** The following appropriations and allocations are made.

**PUBLIC DEFENSE SERVICES, MAINE COMMISSION ON  
Maine Commission on Public Defense Services Z112**

Initiative: Provides one-time funding to address the shortfall in funding available to compensate constitutionally and statutorily required assigned counsel in fiscal years 2025-26 and 2026-27.

<b>GENERAL FUND</b>	<b>2025-26</b>	<b>2026-27</b>
All Other	\$13,000,000	\$9,000,000
	_____	_____

**COMMITTEE AMENDMENT**

1 GENERAL FUND TOTAL \$13,000,000 \$9,000,000

2

3 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
4 number to read consecutively.

5

**SUMMARY**

6 This amendment, which is the minority report of the committee, changes the title and  
7 removes from the bill funding for the establishment of a public defender office in  
8 Cumberland County. It also provides that attorneys employed by the Maine Commission  
9 on Public Defense Services as employed counsel or public defenders are exempt from the  
10 State Employees Labor Relations Act.

11

**FISCAL NOTE REQUIRED**

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**(See attached)**